

Congress of the United States

Washington, DC 20515

May 17, 2007

The Honorable R. James Nicholson
Secretary of Veterans Affairs
Department of Veterans Affairs
1722 I Street, NW
Washington, DC 20301

Dear Secretary Nicholson:

We write to request your direct intervention in addressing the need for medical screening, evaluation, treatment, and disability compensation for former members of the Armed Forces who have incurred disabling conditions as a result of their duty at the World Trade Center (WTC) disaster site in New York City during the time period of September 11, 2001 to October 1, 2002.

Thousands of members of the Armed Forces (Active Duty, National Guard, and Reserve) bravely responded to and served alongside the New York firefighters, police officers, emergency responders and others at the hazardous Ground Zero rubble pile where they performed search and rescue, recovery, security, medical, engineering and various other support operations. Today, some of these veterans suffer from serious and potentially fatal pulmonary and respiratory conditions, as well as gastrointestinal, musculoskeletal and PTSD conditions from their service at what scientists had once described as the most dangerous place on earth. Yet, nearly six years after September 11, there does not appear to be any WTC related program, policy, protocol or special training recognition by the Department of Veterans Affairs (DVA) for this military veteran population. Currently, veterans who seek medical treatment and disability compensation for these WTC related conditions experience a complete lack of understanding and knowledge of these unique conditions by the Veterans Health Administration (VHA) and the Veterans Benefits Administration (VBA) staff due to their own lack of experience, training and expertise in these areas.

The health issues surrounding those who served at Ground Zero have been recognized by several parts of the Federal government, but do not appear to have been recognized yet by the Veterans Administration. President Bush recently requested \$25 million specifically for the health care of the ailing Ground Zero population in his Fiscal Year 2008 budget. Currently there are federally funded medical monitoring and treatment programs for police officers, firefighters, emergency responders, city and state employees and volunteers. There is a WTC Health Federal Responder Medical Screening Program for federal employees administered by the Department of Health and Human Services. In addition, WTC related disability and medical retirement programs have been developed and implemented for the police, firefighters, emergency responders, city, state employees

and residents at the State and City level, along with a special worker's compensation program for disabled responder/recovery workers and volunteers.

Regretfully it seems that our nation's Veterans, served by the Veterans Administration, appear not to be receiving the care and attention for their injuries that they should. Some of these Operation Noble Eagle veterans became the very first "wounded" from Ground Zero duty even before the first bomb fell on Afghanistan in response to 9/11. After these service members have sacrificed so much for our nation in those critical early days and months after the terrorist attacks, we have a moral obligation to ensure that these deserving men and women receive the best care and disability compensation consideration possible by the DVA.

This situation can be vastly improved through your leadership. We believe your staff at the Veterans Health Administration and Veterans Benefits Administration can support the WTC veteran population by expeditiously developing policy, screening and evaluation protocol, and disability rating guidance for these veterans. This can be very quickly accomplished by utilizing over five years of medical research, data and information from the WTC Medical Monitoring Program. Your medical staff could immediately utilize an already existing "Clinical Guideline for Physicians Treating Adults Exposed to the WTC Disaster" which describes the specific medical and mental health problems that could be caused or exacerbated by duty at the disaster. It also provides information for physicians to diagnose, treat and refer patients. Your staff will also find that significant information exists on the types of disabilities caused by the toxic exposures in or around the WTC site, the human remains morgue sites and the debris handling locations.


The DVA already has one of two special centers which could quickly evaluate the WTC veterans, most of whom live in the northeast. The War-Related Illness and Injury Study (WRIIS) Center in East Orange, New Jersey already evaluates veterans who have served in OEF, OIF and other combat operations. WTC military veterans with complex and unique disabilities from WTC related toxic exposures, combat duty overseas and general military service could either be evaluated at the NJ WRIIS Center by its physicians or even be referred to the WTC Medical Monitoring Program coordinated by Mt Sinai Medical Center in New York City for expert evaluations on WTC specific conditions. These comprehensive evaluations could then be made available to the VBA for the purpose of disability rating the service member. The VBA could use all of the WTC related medical information to write and issue an official Training Letter to all VA Regional Offices for the purpose of rating WTC related medical conditions similar to Training Letters issued for Traumatic Brain Injury, Agent Orange, Cold Weather Injuries, Gulf War Illness, etc.

To ensure that all the members of the Armed Forces who served at the WTC disaster during this national emergency would be eligible for DVA benefits, we request an official opinion stating that all military personnel documented as serving there would qualify as WTC military veterans. This would include all members of the National Guard who served at the WTC disaster site. Last year, legislation sponsored by Reps. Maloney and King, along with Senator Clinton, was passed (H.R. 1815) to provide them federal


military retirement credit for their service after September 11, 2001 and before October 1, 2002. These same dates could serve as the qualifying period of service for WTC military service for program, policy and training letter purposes.

September 11, 2007 will mark the sixth anniversary of the terrorist attacks and also the heroic response to those terrible events. Please make this the year that WTC veterans receive official Department of Veteran Affairs recognition and service for the duty that they performed. Thank you for your consideration. We look forward to your response. If your staff have questions about this request please have them contact Anna Cielinski in Rep. Maloney's office.

Sincerely,


CAROLYN B. MALONEY
Member of Congress


CHRISTOPHER SHAYS
Member of Congress


JOHN HALL
Member of Congress